

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

SANDRA LAUREN WEIST,

Plaintiff,

v.

Case No.: 2:21-cv-768-SPC-MRM

COMMISSIONER OF SOCIAL
SECURITY and UNITED STATES
ATTORNEY,

Defendants.

_____/

ORDER¹

Before the Court is the Acting Commissioner of Social Security's Unopposed Motion for Entry of Judgment with Remand. ([Doc. 21](#)). A remand is proper based on the following:

The Commissioner believes remand would be appropriate to have the agency: obtain supplemental vocational to further administrative proceedings. Specifically, the Administrative Law Judge (ALJ) should: (1) obtain supplemental evidence from a vocational expert to clarify the effect of the assessed limitation on Plaintiff's occupational base; (2) offer Plaintiff an opportunity for a hearing; (3) take on any further action needed to complete the administrative record; and (4) issue a new decision.

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.

(Doc. 21 at 1). Plaintiff Sandra Lauren Weist does not oppose the Motion.

Under [42 U.S.C. § 405\(g\)](#), the Court has the power to enter judgment, reversing and remanding a social security case for rehearing. See [Shalala v. Schaefer](#), 509 U.S. 292, 296-98 (1993); [Melkonyan v. Sullivan](#), 501 U.S. 89, 101-02 (1991). Given the parties' representations and agreement on the matter, the Court grants the Motion, reverses, and remands for further proceedings. See [Morgan v. Astrue](#), No. 2:11-cv-615-FtM-29SPC, 2012 WL 695840, at *1 (M.D. Fla. Mar. 1, 2012).

Accordingly, it is now

ORDERED:

1. The Commissioner's Unopposed Motion for Entry of Judgment with Remand ([Doc. 21](#)) is **GRANTED**.
2. The decision denying benefits is **REVERSED** and this case is **REMANDED** under sentence four of [42 U.S.C. § 405\(g\)](#) for further proceedings.
3. Any application for fees, costs, or expenses must comply with the Court's Standing Order on Management of Social Security Cases, [In re Administrative Orders of the Chief Judge](#), Case No. 3:21-mc-1-TJC, [Doc. 43](#) (Dec. 7, 2021).
4. The Clerk is **DIRECTED** to enter judgment, terminate all deadlines, deny any pending motions as moot, and close the case.

DONE and **ORDERED** in Fort Myers, Florida on May 6, 2022.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record